REMARKS

In response to the Official Action of January 20, 2010 Applicants submit herewith a Petition to Accept an Unintentionally Delayed Claim Under 35 U.S.C. § 120, 121, or 365(c) for the benefit of a prior filed application, i.e., US Application No. 10/030,262 (now US Patent No. 7,101,574). Applicants submit that the Petition shows that the delay in amending the specification to memorialize the claim for benefit in Applicants' filing documents was unintentional. Thus, Applicants submit that the Petition should be granted.

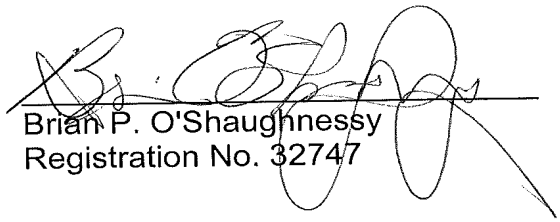
Upon grant of the Petition, Applicants will be entitled to the priority of U.S. Application No. 10/030,262 (filed April 17, 2002, now USPN 7,101,574); PCT/FR00/01971 (filed July 7, 2000); and FR 99/08923 (filed July 9, 1999). In view of the earlier claim for priority to those applications, and the Petition filed contemporaneously herewith, Applicants submit that the outstanding rejections under 35 USC §§ 102 and 103 relying upon WO 01/03693 (PCT/FR 00/01971; and/or its English language equivalent, U.S. Patent No. 7,101,574) is mooted. Accordingly, reconsideration and withdrawal of those rejections is respectfully requested.

In the event that there are any questions concerning this amendment, or the application in general, the Examiner is encouraged to telephone the undersigned attorney at the number provided below. Such informal communication will expedite examination and disposition of the case.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: March 15, 2010 By: 

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